

How corporations undermine the rights of injured Americans

These ALEC bills try to change Americans' rights by:

- [Making it harder for injured people to use class action rules](#) that can expose the widespread harms of dangerous products and strengthen the negotiating power of injured people
- Limiting corporate financial liability through changing the rules for [apportioning fault](#)
- Making it easier for corporations to get a judge to dismiss an injured American's case *before* it gets to a jury by:
 - [Barring the case by saying the injured person assumed the risk](#),
 - Changing the rules about *where* injured Americans can sue through changes to [court rules](#), including rules that limit people from [multiple states](#) joining as plaintiffs
 - [Altering rules](#) to summarily dismiss the case before trial,
- [Requiring medical malpractice lawsuits be filtered by doctors and the hospital industry](#)
- Deterring lawsuits by:
 - [making it harder for injured people to bring suits based on limited information](#) about how an accident occurred, information that could be discovered using tools available to after a suit is filed,
 - [Punishing](#) injured Americans by requiring they pay corporate attorneys' fees if a jury award is not significantly larger than an earlier offer of settlement,
 - [Barring injured Americans from getting any damages from corporations whose products injure them if products are subject to government regulation](#), and giving manufacturers a [defense against liability if their product met governmental standards](#), even though many regulatory agencies have been captured by the industries being regulated, many of the same industries pushing these bills.
 - [Making it more difficult](#) to introduce new scientific research in injury cases through expert witnesses by requiring states to follow federal expert rules that corporations favor,
- Limiting the power of Congress to create national rules to protect Americans, no matter their state residence, if injured by defective corporate products distributed nationally,
- [Limiting punitive damages](#) designed to deter wrongdoing that kills or harms a person. (See also [here](#).)
- [Limiting "noneconomic damages," like pain and suffering.](#)

To see a full list of these bills, [click here](#)

Did you know about ALEC and . . .

Limiting Damages for the Loss of Your Child, Spouse, or Parent



One of the corporate-politician proposals of ALEC would limit the ability of a family to recover for emotional damages due to the death or injury of a loved one. This type of legislation basically makes working class or poor people's lives -- as well as the elderly -- worth less to their families because any damages for pain and suffering due to the death of a child, spouse, or parent would be limited to an amount equal to twice their loved one's lost earnings. These kinds of corporate provisions try to prevent a jury of YOUR peers from awarding you damages for all you have lost or suffered, AFTER a jury finds that your loved one's death was the result of corporate negligence, misconduct, or greed.

Is a local legislator who was elected to represent YOU actually protecting the profits of global corporate wrongdoers through such legislation instead of YOU and YOUR FAMILY?

Barring Corporate Liability for Killing Your Dog or Cat



In addition to limiting the rights of people injured by corporations, under the guise of limiting "frivolous" litigation, [one ALEC resolution from 2006](#) supports making it harder for you to obtain any compensation from a company whose negligence killed your family pet. In 2009, Americans learned that many U.S. pet food companies had shipped the production of food for their four-legged companions overseas and that Chinese contractors had contaminated the pet food with melamine to increase profit margins, resulting in serious injuries and death to numerous dogs and cats in the U.S.

If passed in your state, ALEC's corporation-backed proposal would make it very difficult for YOU to recover any damages for the loss of your beloved animal companion due to corporate negligence or misconduct in manufacturing pet food.

Oh, the Hypocrisy!

Despite ALEC's efforts to limit the rights of injured Americans to vindicate their losses through personal injury lawsuits, ALEC's then-Executive Director, Duane Parde, brought a tort lawsuit against his own orthopedic surgeon for malpractice in 2002, according to the American Association for Justice. Parde demanded \$250,000 in damages, alleging he "suffered permanent injury and damage, sustained and continues to sustain conscious pain and suffering, loss of quality of life, and otherwise incurred and continues to incur losses and expenses."